

## **MINUTES**

### **MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON FISH AND GAME**

**Call to Order:** Chair John Brenden, on April 6, 2011 at 3:00 PM, in Room 422 Capitol

#### **ROLL CALL**

##### **Members Present:**

Sen. John Brenden, Chairman (R)  
Sen. Joe Balyeat, Vice Chairman (R)  
Sen. Debby Barrett (R)  
Sen. Bradley Hamlett (D)  
Sen. Greg Hinkle (R)  
Sen. Larry Jent (D)

**Members Excused:** Sen. Tom Facey (D)  
Sen. Steven Gallus (D)  
Sen. Jim Shockley (R)  
Sen. Art Wittich (R)

**Members Absent:** None

**Staff Present:** Joe Kolman, Legislative Branch  
Kevin McCue, Committee Secretary

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

##### **Committee Business Summary:**

Hearing & Date Posted: HB 372, 4/4/2011; HB 607, 4/4/2011

Executive Action: HB 209 - Be concurred in as amended  
HB 387 - Be concurred in as amended  
HB 372 - Be concurred in as amended  
HB 607 - Be concurred in

**EXECUTIVE ACTION ON HB 209**

00:00:59     **Motion:** Sen. Balyeat moved that **HB 209 BE CONCURRED IN.**

**Discussion:**

00:01:12\_\_\_\_\_Joe Kolman, Legislative Services Division (LSD)

00:02:03\_\_\_\_\_ **Motion:** Sen. Balyeat withdrew his motion that **HB 209 BE CONCURRED IN.**

**HEARING ON HB 372**

**Opening Statement by Sponsor:**

00:02:34     Rep. Ted Washburn (R), HD 69, opened the hearing on HB 372, Clarify preference system laws for nonresident permits and licenses.

**Proponents' Testimony:**

00:07:02     Jean Johnson, lobbyist, Montana Outfitters and Guides Association (MOGA)  
00:08:40     Rob Arnaud, MOGA  
00:09:17     Sen. Shockley and Sen. Jent joined the hearing; Sen. Wittich left the hearing.  
00:09:25     Russ Kipp, President, MOGA

[\*\*EXHIBIT\(fis77a01\)\*\*](#)

**Opponents' Testimony:**

None

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:11:45     Sen. Shockley  
00:11:58     Sen. Balyeat  
00:12:52     Dave Risley, Fish and Game Administrator, Fish, Wildlife and Parks (FWP)

**Closing by Sponsor:**

00:13:41     Rep. Washburn

**EXECUTIVE ACTION ON HB 372**

00:16:04     **Motion:** Sen. Barrett moved that **HB 372 BE CONCURRED IN.**

**Discussion:**

00:16:16     Mr. Kolman, LSD

00:16:29 **Motion/Vote:** Sen. Barrett moved that **HB 372 BE AMENDED**. Motion carried unanimously by voice vote. Sen. Facey, Sen. Gallus and Sen. Wittich voted by proxy.

[EXHIBIT\(fis77a02\)](#)

00:16:49 **Motion/Vote:** Sen. Barrett moved that **HB 372 BE CONCURRED IN AS AMENDED**. Motion carried unanimously by voice vote. Sen. Facey, Sen. Gallus and Sen. Wittich voted by proxy. Sen. Hinkle will carry the bill.

### EXECUTIVE ACTION ON HB 209

00:18:04 **Motion:** Sen. Shockley moved that **HB 209 BE CONCURRED IN**.

#### Discussion:

00:18:37 **Motion:** Sen. Shockley moved that **HB 209 BE AMENDED**.

[EXHIBIT\(fis77a03\)](#)

#### Discussion:

00:19:59 Sen. Barrett

00:20:14 Sen. Brenden

00:20:20 **Vote:** Motion carried 6-4 by roll call vote with Sen. Balyeat, Sen. Barrett, Sen. Brenden and Sen. Hinkle voting no. Sen. Facey, Sen. Gallus and Sen. Jent and Sen. Wittich voted by proxy.

00:26:42 **Motion:** Sen. Jent moved that **HB 209 BE AMENDED**.

[EXHIBIT\(fis77a04\)](#)

#### Discussion:

00:26:48 Mr. Kolman

00:27:54 Sen. Jent

00:28:42 Sen. Brenden

00:29:41 **Vote:** Motion failed 5-5 by roll call vote with Sen. Balyeat, Sen. Facey, Sen. Gallus, Sen. Hamlett and Sen. Jent voting aye. Sen. Facey, Sen. Gallus and Sen. Wittich voted by proxy.

00:30:36 **Motion/Vote:** Sen. Shockley moved that **HB 209 BE CONCURRED IN AS AMENDED**. Motion carried 6-4 by roll call vote with Sen. Facey, Sen. Gallus, Sen. Hamlett and Sen. Jent voting no. Sen. Facey, Sen. Gallus and Sen. Wittich voted by proxy. Sen. Shockley will carry the bill.

**HEARING ON HB 607**

**Opening Statement by Sponsor:**

00:32:06 Rep. Jeffery Welborn (R), HD 72, opened the hearing on HB 607, Clarifying procedure for sale of B10 nonresident big game combo licenses.

**Proponents' Testimony:**

00:34:19 Jean Johnson, Montana Outfitters and Guides Association (MOGA)

[EXHIBIT\(fis77a05\)](#)

00:36:52 Russ Kipp, President, MOGA

[EXHIBIT\(fis77a06\)](#)

00:37:19 Dave Risley, Fish and Game Administrator, Fish, Wildlife and Parks (FWP)

[EXHIBIT\(fis77a07\)](#)

**Opponents' Testimony:**

00:38:07 George Golie, lobbyist, Montana Wildlife Federation (MWF)

**Informational Testimony:**

None

**Questions from Committee Members and Responses:**

00:40:00 Sen. Jent

00:40:22 Mr. Risley, FWP

**Closing by Sponsor:**

00:41:22 Rep. Welborn

**EXECUTIVE ACTION ON HB 607**

00:42:41 **Motion:** Sen. Hinkle moved that **HB 607 BE CONCURRED IN.**

**Discussion:**

00:42:51 Sen. Hinkle

00:44:00 Sen. Jent

00:44:14 Sen. Barrett

00:45:00 Sen. Balyeat

00:46:36 Mr. Kolman

00:47:48 Sen. Jent

00:48:10 **Vote:** Motion carried unanimously by voice vote. Sen. Facey, Sen. Gallus and Sen. Wittich voted by proxy. Sen. Hinkle will carry the bill.

00:49:14 Sen. Brenden and Sen. Jent left the hearing.

**EXECUTIVE ACTION ON HB 387**

00:50:05      **Motion:** Sen. Barrett moved that **HB 387 BE CONCURRED IN.**

00:50:16      **Motion:** Sen. Barrett moved that **HB 387 BE AMENDED.**  
**EXHIBIT(fis77a08)**

**Discussion:**

00:50:58      Mr. Kolman

00:51:49      **Vote:** Motion carried unanimously by voice vote. Sen. Brenden, Sen. Facey, Sen. Gallus, Sen. Jent and Sen. Wittich voted by proxy.

00:53:50      **Motion:** Sen. Shockley moved that **HB 387 BE AMENDED.**  
**EXHIBIT(fis77a09)**

**Discussion:**

00:53:56      Sen. Barrett  
00:54:07      Mr. Kolman  
00:54:27      Sen. Shockley  
00:55:02      Sen. Balyeat  
00:56:22      Sen. Hinkle  
00:56:35      Sen. Hamlett  
00:57:02      Sen. Shockley

00:57:18      **Vote:** Motion failed 5-5 by roll call vote with Sen. Facey, Sen. Gallus, Sen. Hamlett, Sen. Jent and Sen. Shockley voting aye. Sen. Brenden, Sen. Facey, Sen. Gallus, Sen. Jent and Sen. Wittich voted by proxy.

00:59:01      **Motion:** Sen. Hinkle moved that **HB 387 BE AMENDED.**  
**EXHIBIT(fis77a10)**

**Discussion:**

00:59:18      Mr. Kolman

01:00:33      **Vote:** Motion carried unanimously by voice vote of those present and voting.

01:00:41      **Motion:** Sen. Hinkle moved that **HB 387 BE CONCURRED IN AS AMENDED.**

**Discussion:**

01:00:52      Sen. Balyeat

01:02:20      **Vote:** Motion carried 6-4 by voice vote with Sen. Facey, Sen. Gallus, Sen. Hamlett and Sen. Jent voting no. Sen. Brenden, Sen. Facey, Sen. Gallus, Sen. Jent and Sen. Wittich voted by proxy. Sen. Jent will carry the bill.

**ADJOURNMENT**

Adjournment:

01:02:57

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Kevin McCue, Secretary

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Additional Documents:

**EXHIBIT**([fis77aad.pdf](#))